



Entered on Docket
November 23, 2009

A handwritten signature in black ink, appearing to read "Linda Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka
"Rhodes Homes," et al.,¹

Debtors.

Affects:

All Debtors

Affects the following Debtor(s):

Tuscany Acquisitions, LLC 09-14853 LBR
and Rhodes Design and Development
Corporation 09-14846 LBR

Case No.: BK-S-09-14814-LBR
(Jointly Administered)

Chapter 11

Hearing Date: November 16, 2009

Hearing Time: 1:30 p.m.

Courtroom 1

**ORDER SUSTAINING DEBTORS' OBJECTION TO CHAVEZ CONSTRUCTION
CLEAN UP'S CLAIMS PURSUANT TO SECTION 502(b)
OF THE BANKRUPTCY CODE AND BANKRUPTCY RULES 3003 AND 3007
[BOOKS & RECORDS CLAIMS] [DOCKET NO. 574]**

¹ The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1 Upon consideration of *Debtors' Objection to Chavez Construction Clean Up's Claims*
2 *Pursuant to Section 502(b) of the Bankruptcy Code and Bankruptcy Rules 3003 and 3007 [Books*
3 *& Records Claims]* [Docket No. 574] (the "Objection"),² filed by the above-captioned debtors
4 and debtors in possession (collectively, the "Debtors"), requesting that the Court enter an order
5 reducing and reclassifying the disputed claims; and the Court having jurisdiction to consider the
6 Objection and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334; and the relief
7 requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being
8 proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having reviewed
9 the Objection; the Court hereby finds and determines that, pursuant to Rule 3007 of the Federal
10 Rules of Bankruptcy Procedure, due and proper notice has been provided to the holder of the
11 claims attached as part of Exhibit A to the Objection and all other parties entitled to notice; and
12 no other or further notice is necessary; and the relief requested in the Objection is in the best
13 interests of the Debtors, their estates and creditors; and that the legal and factual bases set forth
14 in the Objection establishes just cause for the relief requested therein; therefore

15 IT IS HEREBY ORDERED THAT:

16 1. Claim number 12 of Chavez Construction Clean Up in the priority amount of
17 \$21,223.62, filed against Tuscany Acquisitions, LLC, is hereby reduced and reclassified to a
18 general unsecured claim in the amount of \$16,104.26.

19 2. Claim number 131 of Chavez Construction Clean Up in the priority amount of
20 \$18,540.00, filed against Rhodes Design and Development Corporation, is hereby reduced and
21 reclassified to a general unsecured claim in the amount of \$18,240.00.

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² Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Objection.

1 3. This Court shall retain jurisdiction to hear and determine all matters arising from
2 the implementation of this Order

3 APPROVED/DISAPPROVED:

4 DATED this ____ day of November 2009.

5 By: *Edward M. Donald Jr.*
6 UNITED STATES TRUSTEE
7 August B. Landis
8 Office of the United States Trustee
300 Las Vegas Blvd. S., Ste. 4300
Las Vegas, NV 89101

9 Submitted by:

10 DATED this 16th day of November 2009.

11 By: /s/ Zachariah Larson
12 LARSON & STEPHENS
13 Zachariah Larson, Esq. (NV Bar No 7787)
14 Kyle O. Stephens, Esq. (NV Bar No. 7928)
15 810 S. Casino Center Blvd., Ste. 104
16 Las Vegas, NV 89101
17 (702) 382-1170 (Telephone)
(702) 382-1169 (Facsimile)
zlarson@lslawnv.com
18 *Attorneys for Debtors*

LARSON & STEPHENS
810 S. Casino Center Blvd., Suite 104
Las Vegas, Nevada 89101
Tel: (702) 382-1170 Fax: (702) 382-1169

LR 9021 Certification

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

____ The court has waived the requirement of approval under LR 9021.

X No parties appeared or filed written objections, and there is no trustee appointed in the case.

____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Submitted by:
DATED this 16th day of November 2009.

By: /s/ Zachariah Larson

LARSON & STEPHENS
Zachariah Larson, Esq. (NV Bar No 7787)
Kyle O. Stephens, Esq. (NV Bar No. 7928)
810 S. Casino Center Blvd., Ste. 104
Las Vegas, NV 89101
(702) 382-1170 (Telephone)
(702) 382-1169
zlarson@lslawnv.com
Attorneys for Debtors